

REMARKS

By this amendment, claim 1 is revised and arguments are presented to place this application in condition for allowance. Currently, claims 1, 3-14, and 18-22 are before the Examiner for consideration on their merits. Claims 6-12, 18, 19, and 21 are withdrawn from consideration.

Applicants wish to thank the Examiner and her supervisor for granting of the personal interview for this application. This response is being filed as a result of the discussion in the interview, and particularly to limit the inclined area of the claims to one that is "linearly running".

First, the specification is revised in response to the Examiner's comments in paragraph 3 of the Office Action.

Second, the claims have been amended in response to the rejection based on 35 USC 112, second paragraph. In light of these changes, Applicants submit that the claims are compliant with this statute and the rejection should be withdrawn.

Third, claim 3 is believed to be consistent with claim 1 in light of the revision to claim 1. In this rejection, the Examiner indicated that the different angles of inclination of the wedge shaped recesses are inconsistent with the claim 1 limitation that the inclined areas are parallel to each other. Claim 1 now defines that the plane areas run linearly in a parallel direction. The claim does not say that the orientation of the inclined areas is parallel, only that they run in a parallel direction. As such, even if the angles may vary as shown in Figure 4, the parallel **direction** is common to the inclined

areas regardless of angle of inclination. As such, the rejection of claim 3 in this regard should be withdrawn.

Turning now to the prior art rejection, the Examiner cites United States Patent Application No. 2003/0014107 to Reynard as the principal reference to reject the claims under either 35 USC 102 or 35 USC 103.

Based on the revision to claim 1, the rejection is no longer appropriate. Claim 1 now requires that the inclined areas run linearly. The wedge shaped recesses with their inclined areas in Reynard are concentric and cannot be said to run linearly as claim 1 now requires. As such, the rejection based on 35 USC 102 is no longer appropriate.

The remaining question is whether Reynard could be modified to produce the invention. There is no basis in Reynard for such a modification and Reynard could not be modified without using the invention as a teaching template.

The secondary reference to Schegel, United States Patent 4,673,406, does not remedy the flaws in Reynard. The Examiner cites Schegel to say that it would be obvious to use Fresnel type lenses on both sides of Reynard. Regardless of the propriety of this stance, the wedge shaped recesses of Reynard would still be concentric and the presently-claimed wedge shaped recesses are still not present.

The other secondary references cited by the Examiner also fail to fix the flaw in Reynard. The fact that United States Patent 4,881,805 to Cohen shows differently angled edge shaped recesses does not lead one of skill in the art to modify Reynard to produce the invention. Likewise, the teachings of United States Patent 4,731,079 to

Stoy concerning a protective layer does not remedy the failings in Reynard to teach the invention.

To recap, the rejection based on principally on Reynard is no longer appropriate given the change to claim 1. That is, a prima facie case of anticipation or obviousness is not established by the prior art and claim 1 and its dependent claims under consideration are now in condition for allowance.

Since claim 1 is patentable over the prior art, the withdrawn dependent claims, which depend from claim 1, i.e., claims 6-12, 18, and 19, and 21, should be rejoined with the claims currently being examined. In maintaining the restriction requirement, the Examiner alleges that the specification does not show the combination of the Fresnel lens on the front of the lens with the air chamber. While a specific illustration is not shown in this regard, the absence of an illustration is not determinative of whether the air chamber embodiment is exclusive to the Fresnel lens embodiment. One only needs to look at the original claims, wherein original claim 16, which equates to the Fresnel lens embodiment is dependent on claim 6, which is the air chamber embodiment. Thus, the combination of the air chamber and Fresnel lens embodiment was originally disclosed, even if not specifically illustrated. What this means is that claim 1 is generic to claim 6 and other related claims should be rejoined and passed onto issuance with claim 1.

In light of this response, the Examiner is requested to allow the application.

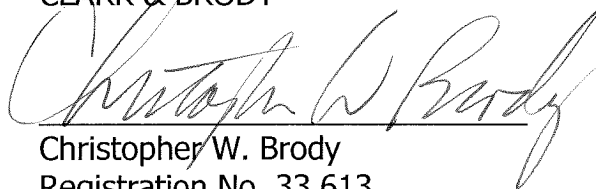
If a further interview is required to advance the prosecution, the Examiner is invited to telephone the undersigned.

The above is a complete response to the outstanding Office Action.

Again, reconsideration and allowance of this application is requested.

Applicants petition for a three month extension of time and payment is made as part of the electronic filing of this application. Please charge any fee deficiency to Deposit Account No. 50-1088.

Respectfully submitted,
CLARK & BRODY

A handwritten signature in cursive script, appearing to read "Christopher W. Brody", written over a horizontal line.

Christopher W. Brody
Registration No. 33,613

Customer No. 22902

1700 Diagonal Road #510
Alexandria, VA 22314
Telephone: 202-835-1111
Facsimile: 703-504-9415

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